

BILL NO. 23-233

AN ORDINANCE VACATING A PORTION OF A CERTAIN EASEMENT LOCATED AT 690 NW BLUE PARKWAY IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-222 was submitted by Chick-fil-A, Inc., requesting vacation of an existing easement located at 690 NW Blue Parkway in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via separate document recorded by Document #2007-E-0088121 and,

WHEREAS, the Planning Commission considered the request on October 26, 2023, and rendered a report to the City Council recommending that the vacation of easement be approved; and,

WHEREAS, the City Council for the City of Lee's Summit has determined that no damages are ascertainable by reason of such vacation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the following described easement is hereby and herewith vacated:

PART OF LOT 28, MINOR PLAT OF SUMMIT FAIR, LOTS 28, 29 AND 30, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, RECORDED FEBRUARY 9, 2010, AS DOCUMENT NO. 2010E0012640, IN PLAT BOOK 131 AT PAGE 66, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT 5/8" IRON PIN SET IN THE WEST RIGHT OF WAY LINE OF NW BLUE PARKWAY, SAID IRON PIN BEING THE NORTHEAST CORNER OF LOT 29 AND THE SOUTHEAST CORNER OF LOT 28, AS SHOWN ON PLAT BOOK 131 AT PAGE 66; THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE COMMON LOT LINES OF SAID LOTS 28 AND 29 N 77°37'39" W A DISTANCE OF 14.99 FEET; THENCE ACROSS SAID LOT 28, AS FOLLOWS: WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 31.27 FEET WITH A RADIUS OF 125.00 FEET WITH A CHORD BEARING OF N 05°11'31" E, WITH A CHORD LENGTH OF 31.19 FEET; THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 68.29 FEET WITH A RADIUS OF 1936.00 FEET WITH A CHORD BEARING OF N 02°59'11" W, WITH A CHORD LENGTH OF 68.29 FEET; THENCE N 04°00'34" W A DISTANCE OF 99.47 FEET; THENCE N 83°35'17" E A DISTANCE OF 15.04 FEET TO A 1/2" IRON PIN FOUND IN THE WEST RIGHT OF WAY LINE OF SAID NW BLUE PARKWAY; THENCE WITH SAID RIGHT OF WAY LINE, AS FOLLOWS: S 03°59'22" E A DISTANCE OF 100.12 FEET TO A 5/8" IRON PIN SET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 68.82 FEET WITH A RADIUS OF 1763.73 FEET WITH A CHORD BEARING OF S 02°58'44" E, WITH A CHORD LENGTH OF 68.82 FEET TO A 1/2" IRON PIN FOUND; THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 35.02 FEET WITH A RADIUS OF 134.24 FEET WITH A CHORD BEARING OF S 05°11'45" W, WITH A CHORD LENGTH OF 34.92 FEET TO THE POINT OF BEGINNING, HAVING AN AREA OF 3,025 SQUARE FEET, 0.069 ACRES, MORE OR LESS.

SECTION 2. That the following condition of approval applies:

1. The vacation of easement shall become effective immediately at the time of ordinance approval.

BILL NO. 23-233

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibit, labeled "Exhibit A", as conditioned above and appended hereto as Attachment A.

SECTION 4. That upon the effective date of the vacation of the easement described in Section 1 above, the City releases all right, title and interest in and to the City owned infrastructure located within the easements.

SECTION 5. That the City Clerk be and is hereby authorized and directed to acknowledge a copy of this ordinance and to record same in the Office of the Recorder of Deeds of the County in which the property is located.

SECTION 6. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*